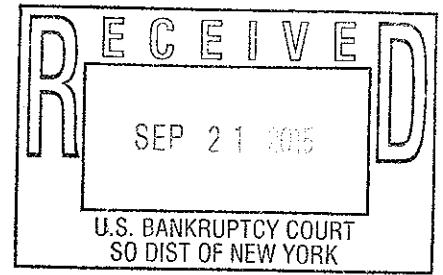


**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**



In re: )  
RESIDENTIAL CAPITAL, LLC, et al., ) Case No. 12-12020(MG)  
Debtors ) Chapter 11  
  ) Jointly Administered

**NOTICE OF APPEAL  
(Claims Nos. 3910 & 4085)**

1. This is a Notice of Appeal of Creditors Philip Emiabata and Sylvia Emiabata to the United States District court of New York from Order Dismissing Claims dated September 3, 2015; with modified Order dated September 4, 2015-Memorandum and order sustaining the Rescap omnibus objection to claims.
2. This emanates from the same subject - matter (Claims 3910& 4085) and also the same Debtors-Residential Capital LLC, et al. which includes its trust and the Borrowers claim Trust. And also the same creditors –Philip Emiabata & Sylvia Emiabata. See Doc. # 9110.
3. The court erred both in law and in fact and was not thorough in reaching its decision.
4. The Appeal was also based that there was no due process/not afforded due process of law.
5. The Bankruptcy court also usurped the Appeal court duty- when there was a Notice of Appeal already before the Bankruptcy court.

Dated September 16, 2015

Respectfully Submitted  
/s/ Philip Emiabata & Sylvia Emiabata  
508 Evening Grosbeak Drive  
Pflugerville TX 78660  
Tel. (512) 791-2395;  
(512) 992-9998

**ON NOTICE TO:**

Morrison & Foerster LLP  
250 West 55<sup>th</sup> Street              Attn: Norman S. Rosenbaum Esq.  
New York, NY 10019

ATTN: Deputy Clerk  
Anatin Roseau

To: Clerk of Court  
US Bankruptcy Court  
Southern District of New York  
1 Bowling Green

Alexander Hamilton Custom House  
New York, New York 10004-1408

Case # 12-12020 (Claims # 3910 & 4085)

Date: 9/15/15

RE: NOTICE OF APPEAL ON COURT ORDER DATED 09/03/15  
modified on 09/04/15 - Order Sustaining  
Debtors / Rescap Trust Omnibus Objection

Please enclosed for filing with the court via US  
Priority mail is the above Appellants (Creditors) Notice  
of Appeal from Order Dismissing Claims / sustaining  
Debtors / Trust Omnibus Objection.

Do please file accordingly

Thanks

from: Sylvia Emanata

Tel (512) 791-2395;  
(512) 992-9998.